

REMARKS

Claim Rejections 35 U.S.C. § 102 (e)

Claims 1-5

The Examiner has rejected claims 1-5 under 35 U.S.C. §103 (a) as being unpatentable over Satya et al. (US 6,528,818 B1).

Applicants respectfully disagree with the Examiner. Applicants have amended claim 1. Support is provided in the specification including in paragraphs [0024], [0025], [0032], [0033], and [0034] of U.S. Patent Application Publication No. 2002/0085761.

Claim 1, as amended, of Applicants' claimed invention, claims a cluster (150) of four copies of a test structure (250) disposed at an intersection of four separate die wherein each copy of said test structure is replicated by photolithography in one of said four separate die and wherein said test structure comprises: a first set (245) of features, said first set of features being representative of product to be monitored in a chip in said one of said four separate die; and a second set (255) of features adjacent to said first set of features, said second set of features being similar to said first set of features, but differing from said first set of features in one or more ways such that pattern recognition results in an unambiguous and correct identification of said one of said four separate die. See Figure 1 (b) and Figure 3.

In contrast, the Satya et al. reference cited by the Examiner fails to teach a cluster of four copies of a test structure wherein each copy is from a separate die and wherein each copy includes a first set of features to monitor product and a second set of features to identify the separate die.

Thus, Satya et al. fails to teach each and every element of claim 1, as amended, of Applicants' claimed invention.

Claims 2-5 are dependent on claim 1, as amended, of Applicants' claimed invention. Thus, the Satya et al. reference cited by the Examiner also fails to teach each and every element of claims 2-5 of Applicants' claimed invention. Consequently, Satya et al. also does not anticipate claims 2-5 of Applicants' claimed invention.

In view of the foregoing, Applicants respectfully request the Examiner to withdraw the rejections to claims 1-5 of Applicant's claimed invention under 35 U.S.C. §102 (e).

Claim Rejections 35 U.S.C. § 103 (a)

Claims 6-11

The Examiner has rejected claims 6-11 under 35 U.S.C. §103 (a) as being unpatentable over Satya et al. (US 6,528,818), as applied to claims 1-5 above and further in view of Gallarda et al. (US 6,539,106 B1).

Applicants respectfully disagree with the Examiner. Claims 6-11 are dependent on claim 1. Applicants have amended claim 1. Support is provided in the specification including in paragraphs [0024], [0025], [0032], [0033], and [0034] of U.S. Patent Application Publication No. 2002/0085761.

Claim 1, as amended, of Applicants' claimed invention, claims a cluster (150) of four copies of a test structure (250) disposed at an intersection of four separate die wherein each copy of said test structure is replicated by photolithography in one of said four separate die and wherein said test structure comprises: a first set (245) of

features, said first set of features being representative of product to be monitored in a chip in said one of said four separate die; and a second set (255) of features adjacent to said first set of features, said second set of features being similar to said first set of features, but differing from said first set of features in one or more ways such that pattern recognition results in an unambiguous and correct identification of said one of said four separate die. See Figure 1 (b) and Figure 3.

In contrast, neither the Satya et al. reference nor the Gallarda et al. reference cited by the Examiner teaches a cluster of four copies of a test structure wherein each copy is from a separate die and wherein each copy includes a first set of features to monitor product and a second set of features to identify the separate die.

Thus, a combination of the structures of Satya et al. and Gallarda et al. would still not produce the structure claimed by Applicants in claim 1, as amended, of Applicants' claimed invention.

Consequently, the two references cited by the Examiner do not, individually or collectively, teach, suggest, or render obvious the structure of Applicants' claimed invention, as claimed in claim 1, as amended, to one of ordinary skill in the art of fabricating semiconductors at the time that the invention was made.

Claims 6-11 are dependent on claim 1, as amended. Thus, Applicants' claimed invention, as claimed in claims 6-11, would also not have been obvious to one of ordinary skill in the art of semiconductors at the time that the invention was made.

Conclusion

Applicants believe that all claims pending, including claims 1-11, of Applicants' claimed invention are now in condition for allowance so such action is earnestly solicited at the earliest possible date.

Pursuant to 37 C.F.R. 1.136 (a) (3), Applicants hereby request and authorize the U.S. Patent and Trademark Office to treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time.

Should there be any additional charge or fee, including a Request for Continued Examination, an extension of time fee, or other fees under 37 C.F.R. 1.16 and 1.17, please charge Deposit Account No. 50-0221.

If a telephone interview would in any way expedite the prosecution of this application, the Examiner is invited to contact the undersigned at (408) 653-7897.

Respectfully submitted,

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